

Form 149

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

In re:

**Steven M. Zook
Kimberly D Zook
fka Kimberly Stoller**
Debtor(s)

Bankruptcy Case No.: 17-25054-GLT
Issued Per 2/26/2018 Proceeding
Chapter: 13
Docket No.: 30 – 20
Concil. Conf.: June 21, 2018 at 02:00 PM

**ORDER OF COURT CONFIRMING PLAN AS MODIFIED
AND SETTING DEADLINES FOR CERTAIN ACTIONS**

(1.) PLAN CONFIRMATION:

IT IS HEREBY ORDERED that upon consent of the Debtor(s), the Chapter 13 Plan dated January 23, 2018 is CONFIRMED as modified at the Plan confirmation hearing. Terms of the Plan not expressly modified by this Order remain in full force and effect. A copy of this Plan was previously mailed to you. *Only those provisions which are checked below apply to this case:*

- ☐ A. For the remainder of the Plan term, the periodic Plan payment is amended to be \$ as of . Debtor(s)' counsel shall file a motion to amend the income attachment order within seven (7) days of the date of this Order.
- ☐ B. The length of the Plan is increased to a total of months. This statement of duration of the Plan is an approximation. The Plan shall not be completed until the goals of the Plan have been achieved. The total length of the Plan shall not exceed sixty (60) months.
- ☒ C. Plan confirmation is on an interim basis only as a form of adequate protection. The Trustee is authorized to distribute to secured and priority creditors with percentage fees. ***A final plan conciliation conference will be held on Jun. 21, 2018 at 02:00 PM, in 3251 U.S. Steel Tower, 600 Grant Street, Pittsburgh, PA 15219.*** If the Parties cannot resolve all disputes at the conciliation conference, a hearing will be scheduled and orally announced at the conclusion of the conference without any further written notice to any party. Parties are directed to monitor the Court's docket and read the Chapter 13 Trustee's minutes of the conciliation conference to the extent such parties desire more information regarding the outcome of the conciliation conference.
- ☐ D. Plan confirmation is subject to the resolution of all actions to determine the avoidability, priority, or extent of liens; including determination of the allowed amount of secured claims under 11 U.S.C. §506, disputes over the amount and allowance of claims entitled to priority under 11 U.S.C. §507, and all objections to claims.
- ☐ E. The allowed claims of general unsecured creditors shall be paid from available funds on a pro rata basis, which may represent an increase or decrease in the amount projected in the Plan.
- ☐ F. shall be paid monthly payments of \$ beginning with the Trustee's distribution and continuing for the duration of the plan term, to be applied by that creditor to its administrative claim, budget payments and/or security deposit. These payments shall be at the third distribution level.
- ☐ G. The claims of the following creditors shall govern as to amount, classification and rate of interest (or as otherwise noted), unless the Debtor(s) successfully objects to the claim: .
- ☐ H. Additional Terms:

(2.) IT IS FURTHER ORDERED THAT THE FOLLOWING DEADLINES ARE ESTABLISHED:

A. Objections to the Plan. Pursuant to *Fed.R.Bankr.P. 2002(b)*, this Order shall not become final for a period of twenty-eight (28) days. Any party in interest with an objection to any provision of this Confirmation Order must file a written objection within that twenty-eight (28) day period. Failure to timely object shall be deemed a waiver of all objections and an acceptance of the provisions of this confirmed Plan. The Trustee may disburse funds pursuant to this confirmation order upon its entry.

B. Applications to retain brokers, sales agents, or other professionals. If the Plan contemplates sales of assets or litigation proceeds as a source of funding, Debtor(s) shall file motion(s) to employ the necessary professionals within thirty (30) days hereof.

C. Review of Claims Docket and Objections to Claims. Pursuant to *W.PA.LBR 3021-1(c)(2)*, the Debtor or Debtor's attorney, if represented, shall review the proofs of claim filed and shall file objections to any disputed claims within ninety (90) days after the claims bar date or, for late filed or amended claims, within ninety (90) days after they are filed and served. Absent an objection, the proof of claim will govern as to the classification and amount of the claim. Objections filed after the ninety (90) days specified herein shall be deemed untimely.

D. Motions or Complaints Pursuant to §§506, 507 or 522. All actions to determine the priority, avoidability, or extent of liens, all actions pursuant to *11 U.S.C. §§506, 507 and 522* shall be filed within ninety (90) days after the claims bar date.

E. Filing Amended Plans. Within fourteen (14) days after the Bankruptcy Court resolves the priority, avoidability, or extent of a lien, or any objection to claim, the Debtor(s) shall file an amended Plan to provide for the allowed amount of the claim if the allowed amount differs from the amount stated in the plan. Debtor(s) shall also file an amended Plan within thirty (30) days after the claims bar date(s) in the event that no objection is filed and the claim(s) as filed causes the Plan to be underfunded.

(3.) ***IT IS FURTHER ORDERED THAT:***

A. After the claims objection deadline, the Plan shall be deemed amended to conform to the claims filed or otherwise allowed. If the Plan expressly modified the terms of payment to any creditor pursuant to *11 U.S.C. §1322(b)(2)*, nothing in this Order shall be construed to change the payment terms established in the Plan.

B. Any creditor who files or amends a proof of claim shall serve a copy on the Debtor(s) or counsel for the Debtor(s).

C. Any creditor whose payment changes due to variable interest rates, change in escrow, or change in monthly payments, shall notify the Trustee, Debtor(s)' counsel and Debtor(s) at least twenty-one (21) days prior to the change taking effect.

D. Debtor's counsel must file a fee application in accordance with *W.P.A.LBR 2016-1* before attorney fees in excess of the "no look" provision (including retainer) will be allowed or paid.

E. The Trustee shall file a *Certificate of Default and Request for Dismissal* of the case in the event of a material Plan default. If the default involves failure to make a plan payment the case will result in dismissal without further hearing upon filing and service of an *Affidavit of Default* by the Trustee. The Trustee is not precluded from raising pre-confirmation defaults in any subsequent motion to dismiss.

F. In the event that any order is entered in this case granting relief from the automatic stay to a secured creditor, then the Trustee shall make no further disbursements to any creditor on account of any ***secured claim*** that is secured by the subject property, unless directed otherwise by further Order of Court.



Gregory A. Taddonio, Judge
United States Bankruptcy Court

Dated: March 2, 2018

cc: All Parties in Interest to be served by Clerk in seven (7) days

Certificate of Notice Page 4 of 5
 United States Bankruptcy Court
 Western District of Pennsylvania

In re:
 Steven M. Zook
 Kimberly D Zook
 Debtors

Case No. 17-25054-GLT
 Chapter 13

CERTIFICATE OF NOTICE

District/off: 0315-2

User: dbas
 Form ID: 149

Page 1 of 2
 Total Noticed: 37

Date Rcvd: Mar 02, 2018

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Mar 04, 2018.

db/jdb
 cr
 14747646 +Steven M. Zook, Kimberly D Zook, 905 Jackman Avenue, Pittsburgh, PA 15202-2807
 14765143 +Borough of Avalon, 437 Grant Street, 14th Floor, Frick Building, Frick Building,
 14747647 Pittsburgh, PA 15219, UNITED STATES 15219-6101
 14781164 +Allegheny Co Fam Div, 414 Grant St, Pittsburgh, PA 15219-2409
 14747648 +Amber Zook, 180 Mt. Pleasant Road, Warrendale, PA 15086-7555
 14764172 +Ars Account Resolution, 1643 Harrison Pkwy Ste 1, Sunrise, FL 33323-2857
 14763586 +Borough of Avalon, Goehring, Rutter & Boehm, c/o Jeffrey R. Hunt, Esquire,
 14747651 437 Grant Street, 14th Floor, Frick Building, Pittsburgh, PA 15219-6101
 14765149 ++CAPITAL ONE, PO BOX 30285, SALT LAKE CITY UT 84130-0285
 14765150 (address filed with court: Capital One, 15000 Capital One Dr, Richmond, VA 23238)
 14747652 Capital One Bank (USA), N.A., PO Box 71083, Charlotte, NC 28272-1083
 14765152 Capital One, N.A., c/o Becket and Lee LLP, PO Box 3001, Malvern PA 19355-0701
 14747653 +Chase Card, PO Box 15298, Wilmington, DE 19850-5298
 14765160 +Citibank, 701 East 60th Street N, Sioux Falls, SD 57104-0493
 14747660 +Comcast, PO Box 3001, Southeastern, PA 19398-3001
 14777993 +Convergent Outsourcing, 800 Sw 39th St, Renton, WA 98057-4975
 14747661 David Stoller, 54 Mt. Pleasant Road, Sistersville, WV 26175
 14765165 #+Debt Collection Partne, 1109 Van Voorhis Road, Morgantown, WV 26505-3462
 14747662 +Eos Cca, PO Box 981008, Boston, MA 02298-1008
 14779416 Gm Financial, PO Box 1181145, Arlington, TX 76096
 14747663 +I C System Inc, PO Box 64378, Saint Paul, MN 55164-0378
 14765160 +KML, 701 Market Street, Suite 5000, Philadelphia, PA 19106-1541
 14747660 +PA SCDU, PO Box 69110, Harrisburg, PA 17106-9110
 14777993 +Penn Credit, 916 S 14th St, Harrisburg, PA 17104-3425
 14747661 +Pingora Loan Servicing, LLC, c/o Cenlar FSB, 425 Phillips Blvd, Ewing, NJ 08618-1430
 14765165 +R & R Collection, PO Box 8855, Midland, TX 79708-8855
 14747662 ++T MOBILE, C O AMERICAN INFOSOURCE LP, 4515 N SANTA FE AVE, OKLAHOMA CITY OK 73118-7901
 (address filed with court: T Mobile, 12920 SE 38th Street, Bellevue, WA 98006)

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.

cr
 14747649 +E-mail/Text: kburkley@bernsteinlaw.com Mar 03 2018 01:26:39 Duquesne Light Company,
 c/o Allison Carr, 707 Grant Street, Suite 2200, Pittsburgh, PA 15219-1945
 14754923 +E-mail/Text: bankruptcy@cavps.com Mar 03 2018 01:26:22 Cavalry Portfolio Serv,
 Po Box 27288, Tempe, AZ 85285-7288
 14747650 +E-mail/Text: bankruptcy@cavps.com Mar 03 2018 01:26:23 Cavalry SPV I, LLC,
 500 Summit Lake Drive, Ste 400, Valhalla, NY 10595-1340
 14779416 +E-mail/Text: kzoepfel@credit-control.com Mar 03 2018 01:26:11 Central Loan Admin & R,
 425 Phillips Blvd, Ewing, NJ 08618-1430
 14747654 +E-mail/Text: kburkley@bernsteinlaw.com Mar 03 2018 01:26:39 Duquesne Light Company,
 c/o Bernstein-Burkley, P.C., 707 Grant St., Suite 2200, Gulf Tower,
 Pittsburgh, PA 15219-1945
 14747659 +E-mail/Text: bknotice@ercbpo.com Mar 03 2018 01:26:14 Enhanced Recovery Co L,
 8014 Bayberry Rd, Jacksonville, FL 32256-7412
 14781740 +E-mail/Text: bnckohlsnotices@becket-lee.com Mar 03 2018 01:25:49 Kohls/capone,
 N56 W 17000 Ridgewood Dr, Menomonee Falls, WI 53051-7096
 14782532 E-mail/PDF: resurgentbknofications@resurgent.com Mar 03 2018 01:28:21
 LVNV Funding, LLC its successors and assigns as, assignee of NCOP Capital II, LLC,
 Resurgent Capital Services, PO Box 10587, Greenville, SC 29603-0587
 14765163 E-mail/PDF: resurgentbknofications@resurgent.com Mar 03 2018 01:28:35
 LVNV Funding, LLC its successors and assigns as, assignee of Arrow Financial Services,,
 LLC, Resurgent Capital Services, PO Box 10587, Greenville, SC 29603-0587
 14747662 +E-mail/Text: appebnmailbox@sprint.com Mar 03 2018 01:26:07 Sprint, Customer Service,
 P.O. Box 8077, London, KY 40742-8077
 14752385 +E-mail/Text: bankruptcy@sw-credit.com Mar 03 2018 01:26:09 Sw Crdt Sys,
 4120 International Parkway, Carrollton, TX 75007-1958
 14747663 +E-mail/Text: bankruptcy@westlakefinancial.com Mar 03 2018 01:26:09
 WESTLAKE FINANCIAL SERVICES, 4751 WILSHIRE BLVD, SUITE 100, LOS ANGELES CA 90010-3847
 14747663 +E-mail/Text: bankruptcy@westlakefinancial.com Mar 03 2018 01:26:09 Westlake Fin,
 4751 Wilshire Blvd, Los Angeles, CA 90010-3827

TOTAL: 13

***** BYPASSED RECIPIENTS (undeliverable, * duplicate) *****

cr
 14765142* Pingora Loan Servicing, LLC
 14765144* +Allegheny Co Fam Div, 414 Grant St, Pittsburgh, PA 15219-2409
 14765145* +Ars Account Resolution, 1643 Harrison Pkwy Ste 1, Sunrise, FL 33323-2857
 ++CAPITAL ONE, PO BOX 30285, SALT LAKE CITY UT 84130-0285
 (address filed with court: Capital One, 15000 Capital One Dr, Richmond, VA 23238)
 14765146* +Cavalry Portfolio Serv, PO Box 27288, Tempe, AZ 85285-7288
 14765147* +Central Loan Admin & R, 425 Phillips Blvd, Ewing, NJ 08618-1430
 14765148* +Chase Card, PO Box 15298, Wilmington, DE 19850-5298
 14765151* +Convergent Outsourcing, 800 Sw 39th St, Renton, WA 98057-4975
 14765153* +Debt Collection Partne, 1109 Van Voorhis Road, Morgantown, WV 26505-3462
 14765154* +Enhanced Recovery Co L, 8014 Bayberry Rd, Jacksonville, FL 32256-7412

District/off: 0315-2

User: dbas
Form ID: 149

Page 2 of 2
Total Noticed: 37

Date Rcvd: Mar 02, 2018

***** BYPASSED RECIPIENTS (continued) *****

14765155* +Eos Cca, Po Box 981008, Boston, MA 02298-1008
14765156* Gm Financial, Po Box 1181145, Arlington, TX 76096
14765157* +I C System Inc, Po Box 64378, Saint Paul, MN 55164-0378
14765158* +KML, 701 Market Street, Suite 5000, Philadelphia, PA 19106-1541
14765159* +Kohls/capone, N56 W 17000 Ridgewood Dr, Menomonee Falls, WI 53051-7096
14765161* +Penn Credit, 916 S 14th St, Harrisburg, PA 17104-3425
14765162* +R & R Collection, Po Box 8855, Midland, TX 79708-8855
14765164* +Sw Crdt Sys, 4120 International Parkway, Carrollton, TX 75007-1958
14765166* +Westlake Fin, 4751 Wilshire Blvd, Los Angeles, CA 90010-3827

TOTALS: 1, * 18, ## 0

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.
USPS regulations require that automation-compatible mail display the correct ZIP.

Transmission times for electronic delivery are Eastern Time zone.

Addresses marked '++' were redirected to the recipient's preferred mailing address
pursuant to 11 U.S.C. 342(f)/Fed.R.Bank.PR.2002(g)(4).

Addresses marked '#' were identified by the USPS National Change of Address system as requiring an update.
While the notice was still deliverable, the notice recipient was advised to update its address with the court
immediately.

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Mar 04, 2018

Signature: /s/Joseph Speetjens

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on March 2, 2018 at the address(es) listed below:

Allison L. Carr on behalf of Creditor Duquesne Light Company acarr@bernsteinlaw.com,
acarr@ecf.courtdrive.com;cwirick@ecf.courtdrive.com
James Warmbrodt on behalf of Creditor Pingora Loan Servicing, LLC bkgroup@kmlawgroup.com
Jeffrey R. Hunt on behalf of Creditor Borough of Avalon jhunt@grblaw.com, cnoroski@grblaw.com
Office of the United States Trustee ustpregion03.pi.ecf@usdoj.gov
Paul W. McElrath, Jr. on behalf of Joint Debtor Kimberly D Zook ecf@mcelrathlaw.com,
donotemail.ecfbackuponly@gmail.com
Paul W. McElrath, Jr. on behalf of Debtor Steven M. Zook ecf@mcelrathlaw.com,
donotemail.ecfbackuponly@gmail.com
Ronda J. Winnecour cmecf@chapter13trusteedpa.com

TOTAL: 7